

4.4 Hazardous Waste Sites

SEA analyzed the potential for encountering existing hazardous waste sites during the construction of the six proposed connections and 19 miles of double track, based on identified hazardous materials/waste listings in the area using government databases and site reconnaissance. High or moderate rankings were assigned to the Leithton double track segment, Munger Alternative – UP Connection, Joliet Connection, Joliet Connection Alternative – Original Proposal, East Joliet Yard, East Joliet to Frankfort double track segment, Matteson Connection and both Matteson alternative connections, Griffith Connection, Ivanhoe Connection, and Kirk Yard (including the Kirk Yard Connection). SEA determined that the Applicants would have adequate procedures in place to ensure that workers and the environment were protected if undocumented hazardous materials were encountered. For that reason, SEA concluded that no adverse effects on human health or the environment are likely to result from disturbances of hazardous material spill or hazardous waste sites during construction activities due to the Proposed Action as long as appropriate measures are used to limit worker exposure and properly classify and dispose of hazardous materials if discovered.

4.4.1 Methodology

To assess potential effects of the proposed construction at hazardous waste sites, SEA reviewed the results of multiple searches of environmental regulatory agency databases to identify existing hazardous materials spill sites and hazardous waste sites that could potentially be affected as a result of the Proposed Action and alternatives. The data gathering focused on an area extending at least 500 feet from the proposed double track corridors and up to 1.0 mile at proposed connections, including Kirk Yard and East Joliet Yard. During the site reconnaissance, where accessible, SEA observed the environmental conditions in the vicinity of sites of interest that were identified through the database searches.

4.4.2 No Action Alternative

Because no construction would occur and no new right-of-way (ROW) would be acquired, the No Action Alternative would not affect hazardous waste sites.

4.4.3 Proposed Action

4.4.1.1 *Proposed Changes in Rail Line Operations*

Changes in train traffic on CN and EJ&E rail lines would not affect hazardous waste sites. Construction-related effects are described below.

4.4.1.2 *Proposed New Construction*

SEA identified numerous governmental database listings within search radii described above at the proposed construction sites. These sites are listed in Appendix F. At each proposed construction site, a low, moderate, or high ranking was assigned based on identified hazardous materials/waste listings in the area, the proximity to the site, and the nature of contamination associated with a listing.

What is a right-of-way (ROW)?

The strip of land for which an entity (in this case, a railroad) has a property right to build, operate, and maintain a linear structure (for example, a rail line).

Ranking Criteria

SEA determined the construction site rankings using the following definitions for each level:

Low Ranking

This designation applies to proposed construction areas that pose a relatively low environmental risk, such as undeveloped land, residential property, agricultural property, and light retail operations, such as banks and warehouse facilities that display no evidence of present or historic waste handling. Nearby properties may include businesses that handle small amounts of hazardous materials, and/or may use underground storage tanks (USTs) or above ground storage tanks (ASTs), but have no reported violations, such as leaking underground storage tanks (LUSTs).

Moderate Ranking

This designation applies to proposed construction areas near businesses that handle larger amounts of hazardous materials, or those which display less diligence in handling of hazardous materials. Moderate-risk sites also include vacant sites of indeterminate usage and former UST sites with tanks removed prior to 1988. This designation also applies to closed LUST sites and other No Further Remedial Action Planned (NFRAP) sites. Examples of moderate-risk sites include auto repair shops with improper waste-handling practices or a high degree of surface staining, former service stations, or any facility for which additional review may be warranted.

High Ranking

This designation applies to hazardous waste sites with a high potential for adverse effects to proposed construction areas. It includes sites from the government database listings (Appendix F), active LUST sites, or any site with active remediation. This also applies to sites with the aforementioned listings that are located within 500 feet of double track corridors or within 0.5 mile of proposed connections and yards. These sites are the most likely to affect proposed construction activities.

Construction Site Rankings

Table 4.4-1, below, summarizes the relative likelihood of encountering contaminated materials in proposed construction areas along the EJ&E rail line. At each proposed construction site, a low, moderate, or high ranking was assigned based on identified hazardous materials/waste listings in the area, the proximity to the site, and the nature of contamination associated with a listing. Figure 4.4-1, below, shows the low, moderate- or high-ranked hazardous wastes sites located near the proposed construction sites.

Table 4.4-1. Construction Site Rankings		
Proposed Construction Site	Site Ranking	Types and Location of Hazardous Waste Sites^a
Leighton Double Track	High	Active LUST, Institutional Control, Engineering Control, and IL SRP sites located within 500 feet of proposed double track.
Diamond Lake Road to Gilmer Road Double Track	Low	Only USTs reported within search distances.
No Build at Munger	Low	No construction. Therefore, soil and groundwater would not be disturbed at the site.
Munger Connection	Low	No listings within 0.5 mile of proposed connection.
Munger Alternative - Original Proposal	Low	No listings within 0.5 mile of proposed connection.
Munger Alternative - UP Connection	High	Sites listed on the NPL, CERCLIS, Institutional Control, Engineering Control, and Illinois Category List databases located within 0.5 mile of proposed connection.
Munger Alternative - Northwest Quadrant	Low	No listings within 0.5 mile of proposed connection.

Table 4.4-1. Construction Site Rankings

Proposed Construction Site	Site Ranking	Types and Location of Hazardous Waste Sites^a
East Siding to Walker Double Track	Low	Only low-ranking listings located within 500 feet of proposed double track.
No Build at Joliet	Low	No construction. Therefore, soil and groundwater would not be disturbed at the site.
Joliet Connection	High	Sites listed on the CERCLIS, Institutional Control, Engineering Control, and active LUST databases located within 0.5 mile of proposed connection.
Joliet Alternative - Original Proposal	High	Sites listed on the CERCLIS, Institutional Control, Engineering Control, and active LUST databases located within 0.5 mile of proposed connection.
East Joliet Yard	High	Active LUST site within the yard.
East Joliet to Frankfort Double Track	High, Moderate, Low	Active LUST sites (high ranking) and RCRA-LQG or closed LUST sites (moderate ranking) within 500 feet of proposed double track.
No Build at Matteson	Low	No construction. Therefore, soil and groundwater will not be disturbed at the site.
Proposed Matteson Connection	High	Open LUST, Institutional Control, Engineering Control, and VCP sites located within 0.5 mile of proposed connection.
Matteson Alternative - Northeast and Southwest Quadrants	High	Open LUST, Institutional Control, Engineering Control, and VCP sites located within 0.5 mile of proposed connection.
Matteson Alternative - Southwest Quadrant	High	Open LUST, Institutional Control, Engineering Control, and VCP sites located within 0.5 mile of proposed connection.
No Build at Griffith	Low	No construction. Therefore, soil and groundwater will not be disturbed at the site.
Griffith Connection	High	Sites listed on the NPL, CERCLIS, Institutional Control, Engineering Control, CORRACTS, and active LUST databases located within 0.5 mile of proposed connection.
No Build at Ivanhoe	Low	No construction. Therefore, soil and groundwater will not be disturbed at the site.
Ivanhoe Connection	High	Sites listed on the NPL, CERCLIS, Institutional Control, Engineering Control, and active LUST databases located within 0.5 mile of proposed connection.
No Build at Kirk Yard (connection)	Low	No construction. Therefore, soil and groundwater will not be disturbed at the site.
Kirk Yard (including Kirk Yard Connection)	High	Active LUST site located on subject property.

Notes:

- ^a LUST: Leaking underground storage tank
 IL SRP: Illinois Site Remediation Program
 NPL: National Priorities List (Superfund)
 CERCLIS: Comprehensive Environmental Response, Compensation and Liability Information System
 RCRA-LQG: Resource Conservation and Recovery Act-Large Quantity Generator
 VCP: Voluntary Cleanup Program
 CORRACTS: RCRA Corrective Action Sites

4.4.1.3 Hazardous Waste Response

SEA also examined the potential effects that would occur if any undocumented hazardous materials spill site and/or hazardous waste site was encountered during the proposed rail construction activities. It determined that the Applicants would have adequate procedures in place to ensure that workers and the environment are protected. SEA reviewed information provided by the Applicants that describe

their planned steps to identify the presence of hazardous materials spill sites and hazardous waste sites prior to beginning construction, as well as the procedures that the Applicants and their contractors plan to implement as part of any construction activity. The Applicants would conduct a Phase I Environmental Site Assessment in accordance with American Society for Testing and Materials (ASTM) E1527-05, Standard Practice for Environmental Site Assessments: Phase I Environmental Site Assessment Process, before beginning construction. If sites of concern were identified and could not be avoided, the Applicants' procedures would require that they document all activities associated with hazardous materials spill sites and hazardous waste sites and notify the appropriate local and state regulatory agencies in accordance with applicable regulations. SEA considers that implementation of these measures by the Applicants would ensure adequate protection of construction workers and the environment. The measures would ensure proper handling and disposal of contaminated materials, including contaminated soil, groundwater, and storm water, if such materials are encountered during construction activities. If the EJ&E acquisition is approved, SEA may require CN to implement these measures as mitigation.

Based on its review of the available information, SEA concluded that no significant adverse effects on human health or the environment are likely to result from disturbances to hazardous materials spill sites and hazardous waste sites during construction activities under the Proposed Action as long as the appropriate measures stated above are implemented. These measures would limit worker exposure and properly classify and dispose of hazardous materials during construction activities related to the proposed transaction.

SEA found that under the Proposed Action:

- There would be a high likelihood of encountering soils contaminated with hazardous material at most of the sites where connections and double track would be constructed.
- The Applicants would implement adequate procedures (Phase I environmental site assessments, worker protection, notification of authorities, and proper cleanup and disposal of contaminated materials) if hazardous materials are encountered at construction sites.

4.4.4 Conclusion

SEA acknowledges that under the Proposed Action, soils contaminated with hazardous materials could be encountered during construction. However, the Applicants would implement proper procedures to limit worker exposures to hazardous materials and properly clean up and dispose of hazardous materials encountered. SEA also is recommending additional mitigation (discussed in Chapter 6) to further reduce potential impacts to construction workers and the environment.



This page intentionally left blank.